

GENERAL CHEMICAL INVENTORY REPORTING REQUIREMENTS

1. LAW

Illinois Emergency Planning and Community Right to Know Act (IEPCRA)
430 ILCS 100; 29 Ill. Adm. Code 620

2. WHO MUST REPORT?

Any facility that has present onsite

(a) a **hazardous chemical** for which OSHA requires a material safety data sheet (MSDS) or safety data sheet (SDS); *and*

(b) the chemical is **present in certain threshold quantities**

3. WHAT IS A “HAZARDOUS CHEMICAL?”

For purposes of IEPCRA, a “hazardous chemical” is defined as any chemical that causes a physical or health hazard (Occupational Safety and Health Act’s [OSHA’s] 2012 Hazard Communication Standard [HCS 2012]). The number of such chemicals has been estimated at over 500,000 and there is no list available. It is acceptable to assume that any chemical for which an MSDS/SDS lists *any* type of hazard is covered by IEPCRA. HCS 2012 includes new definitions of physical hazard and health hazard. HCS 2012 also contains a new 16-part Safety Data Sheet (SDS) format.

4. WHAT QUANTITIES TRIGGER REPORTING REQUIREMENTS?

If the chemical is **hazardous**, the threshold quantity is 10,000 pounds or more.

If the chemical is an **extremely hazardous substance (EHS)**, the threshold is 500 pounds or the threshold planning quantity (TPQ), whichever is less. For instance, chlorine is an EHS and its TPQ is 100 pounds; therefore, if a facility has present onsite at least 100 pounds of chlorine, that facility is required to file an emergency and hazardous chemical inventory form (commonly referred to as a “Tier 2 Form”) for chlorine.

5. WHAT ARE THE REPORTING REQUIREMENTS?

(a) An emergency and hazardous chemical inventory form, commonly referred to as a “Tier 2 Form,” which reports the following information*:

- *Facility Identification*, including latitude/longitude coordinates for non-standard addresses and whether the facility is manned/unmanned
- is facility subject to EPCRA 302 (Extremely Hazardous Substance [EHS]), Toxic Release Inventory (TRI) &/or Clean Air Act (CAA) 112® Risk Management Program (RMP). If yes to TRI &/or RMP, must enter facility’s ID#.
- contact information for facility emergency coordinator, Tier 2 contact information (including e-mail addresses)
- name and telephone number of emergency contact(s)
- name, mailing address, telephone number and e-mail address of owner/operator
- Chemical Identification, including chemical name, description, physical and health hazards, and locations, whether or not chemical is an EHS, must provide description for

storage types and conditions (instead of using reporting codes alone). Also must indicate precise location of hazardous chemicals storage.

- best estimate of the maximum amount (in pounds) of chemical at facility on any single day (new range codes in effect since RY 2013)
- average daily amount in pounds (also new range codes since RY 2013)
- number of days chemical was on site for that reporting period
- *Illinois Tier 2 Manager Online Reporting System has additional requirements

(b) A Material Safety Data Sheet (MSDS) or Safety Data Sheet (SDS) for each such chemical. A MSDS/SDS is a document that is developed by the product manufacturer and provides information on ingredients, hazards, and practices needed to work safely with the product. NOTE: SDSs are replacing MSDSs. This must be completed by June 1, 2015. More information may be found at www.osha.gov/dsg/hazcom/.

(c) If the chemical is an **extremely hazardous substance (EHS)**, the facility is also required to file a **Section 302 Notice**. This notice alerts emergency planners that an extremely hazardous substance is present at the facility in quantities in excess of the TPQ.

REPORTING DUE DATES

6. WHEN IS THE TIER FORM DUE?

The emergency and hazardous chemical inventory form ("Tier Form") is due annually on or before March 1 of the year following the reporting calendar year period. For instance, if your facility had onsite more than 10,000 pounds of a hazardous chemical (non-EHS) at any one time during calendar year 2014, then you are required to file a chemical inventory form on or before Sunday, March 1, 2015.

7. WHEN IS THE MSDS/SDS (OR CHEMICAL LIST) DUE?

The MSDS/SDS or the chemical list is a one-time filing requirement that must be filed within ninety (90) days of the date that the material is brought onsite.

8. WHEN IS THE SECTION 302 NOTICE DUE?

The Section 302 Notice is due within sixty (60) days of the date that the extremely hazardous substance (EHS) is brought onsite.

9. WHERE SHOULD THESE REPORTS BE SENT?

(a) For Reporting Year 2014, Tier 2 and MSDS/SDS submissions must be made to each of the following:

- (i) IEMA as the State Emergency Response Commission (SERC), via electronically through Tier II Manager, IEMA's online reporting system;
- (ii) the appropriate local emergency planning committee (LEPC), via printed hard copy from Tier II Manager; and

- (iii) the fire department with jurisdiction over the facility, via printed hard copy from Tier 2 Manager.

(b) The Section 302 Notice must be submitted to the following:

- (i) IEMA as the SERC, via electronically through Tier II Manager, and,
- (ii) the appropriate LEPC, via printed hard copy from Tier II Manager

If you have questions about Tier 2 reporting, please contact Lori Canterbury or Carlita Crockett, IEMA Tier 2 Specialists, at 217/558-0559 or ema.tier2mgr@illinois.gov.